

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
)
vs.) CR. NO. 2:05-cr-119-MEF
)
)
DON EUGENE SIEGELMAN,)
PAUL MICHAEL HAMRICK,)
GARY MACK ROBERTS, and)
RICHARD M. SCRUSHY.)

**UNITED STATES' RESPONSE TO DEFENDANT SCRUSHY'S MOTION IN LIMINE
TO PROHIBIT THE UNITED STATES FROM USING DEFENDANT SIEGELMAN'S
OTHER ALLEGED ILLEGAL ACTS AGAINST DEFENDANT SCRUSHY**

COMES NOW the United States of America, by and through Louis V. Franklin, Sr., Acting United States Attorney for the Middle District of Alabama, and Andrew C. Lourie, Acting Chief of the Public Integrity Section of the Criminal Division of the United States Department of Justice, and hereby files its Response to Defendant Richard Scrushy's Motion to Prohibit the United States from Using Defendant Siegelman's Other Alleged Illegal Acts against Defendant Scrushy, either as evidence or in argument. The United States provides that it will not do so unless, by the manner in which Defendant Scrushy conducts his defense, such evidence or argument becomes relevant to rebut inference, evidence, or argument, offered on behalf of Defendant Scrushy. Should, by the manner in which the defense is conducted, the door for such evidence be opened, the United States may then seek to offer such evidence or argument. The United States will seek permission of the Court prior to doing so.

Respectfully submitted this 10th day of April, 2006.

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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Respectfully submitted,

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